

SAFETY Network

March 2014

Michigan.gov/ohsp

Law enforcement cracking down on drunk drivers through April 7



St. Patrick's Day revelers and March Madness fans have been urged to catch a sober ride with their local transit system to avoid an arrest as agencies in 26 counties are combatting drunk driving through increased enforcement through April 7.

Officers from 144 agencies are conducting extra patrols to arrest impaired drivers during a time period that includes the

National Collegiate Athletic Association (NCAA) men's and women's basketball tournaments, high school and college spring break periods, and St. Patrick's Day. A five-year review of crash data indicates both alcohol use and lack of seat belts play a significant role in fatal and serious injury crashes in March and early April.

The Michigan Office of Highway Safety Planning (OHSP) is coordinating the effort which is supported by federal traffic safety funds. This year, OHSP is partnering with the Capital Area Transportation Authority (CATA) in Lansing and The Rapid in Grand Rapids. During the effort, CATA and The Rapid buses will feature signs encouraging people to catch a sober ride.

In 2013, 2,271 people were arrested for drunk **Sober** Continued on page 4 >

OHSP conducting four assessments to help enhance programs

In an effort to better understand how Michigan can improve its traffic safety programs, the Michigan Office of Highway Safety Planning (OHSP) is conducting four program assessments this year for impaired driving, occupant protection, driver education, and traffic records.

Program assessments are done in cooperation with the National Highway Traffic Safety Administration, which assembles a team of nationally recognized experts to conduct a review of a state's efforts in the

different program areas. The assessment team meets with traffic safety partners to hear testimony concerning the strengths and weaknesses of the state's traffic safety programs. The team then provides the state with recommendations to improve programming, partnerships, and other efforts.

An Impaired Driving Assessment is scheduled for April 7-11. Michigan's last Impaired Driving Assessment was done in 2005. Some of the recommendations

Updated bike safety brochure available

An updated version of the Michigan Office of Highway Safety Planning's bicycle safety brochure, *Be a Safe Cyclist*, is now available. The brochure provides information on best practices, bike safety laws, and correct helmet fit.

To order *Be a Safe Cyclist* or other traffic safety publications, e-mail trafficsafety@michigan.gov or call (517) 636-4256. A catalog of available materials can be found at Michigan.gov/ohsp under the Traffic Safety Materials link.



from that assessment that have been accomplished or are being pursued include developing a Drug Recognition Expert program, enhancing the Traffic Safety Resource Prosecutor Program, and enhancing the state's sobriety courts.

A Driver Education Assessment is scheduled for April 28-May 2. This is the first time Michigan has conducted an assessment of its driver education programs.

On May 12-16, a panel of national experts **Assessments** Continued on page 3 >

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State Police utilizing data to prevent traffic crashes

By Col. Kriste Kibbey Etue, Director, Michigan State Police



The Michigan State Police (MSP) is dedicated to reducing the number of injuries and traffic deaths on Michigan's roads.

To underscore the department's commitment to traffic safety, an objective in our five-year strategic plan calls for each of our 29 posts to implement a new traffic safety initiative annually, supported by crash data, to address an issue plaguing their local community.

For 2013, I'm pleased to report that we nearly tripled this goal with a total of 80 new traffic safety initiatives conducted throughout the year. These efforts range from addressing alcohol-related,

distracted or drowsy driving, teen driving, and aggressive driving.

Following are some examples of what MSP posts across the state are doing to address local traffic safety concerns in their area.

After two crashes involving students, the Gaylord Post implemented a traffic safety initiative targeting school zones. To date, no further crashes have occurred since troopers have targeted that area and conducted visible patrols in other school zones in the Gaylord and Johannesburg areas.

In response to an increase in traffic crashes on a busy shopping corridor, the Alpena Post implemented a traffic safety initiative in that area, which has resulted in a 20 percent decrease in crashes during

the first three months of implementation. This will be an ongoing effort.

After reviewing data that identified an area with a large occurrence of traffic crashes and criminal activity, a one-day multijurisdictional traffic enforcement detail, which included troopers from the Brighton Post, was implemented, resulting in 56 traffic stops, 11 citations, and 51 verbal warnings.

The aforementioned examples are just a few of the new traffic safety initiatives we are implementing across the state. I'm confident we are saving lives every day with this proactive approach.

As we move forward this year, you can expect the MSP to continue to utilize crash data to pilot new initiatives aimed at reducing traffic injuries and fatalities.

What's Ahead

MARCH

31-4/4 **National Work Zone Awareness Week** Safety.fhwa.dot.gov

APRIL

National Distracted Driving Awareness Month Focusdriven.org
Alcohol Awareness Month Nih.gov

- 1 **Traffic Incident Management Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, Lake Superior Room, 9:30 a.m.
- 8 **Traffic Safety Engineering Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, 1 p.m.
- 9 **Occupant Protection Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1920s Room, 10 a.m.
- 15 **Distracted Driving Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1960s Room, 1 p.m.

- 16 **Impaired Driving Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1920s Room, 10 a.m.
- 17 **Traffic Records & Information Systems Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1920s Room, 10 a.m.
- 17 **Lakeshore Traffic Safety Committee meeting**, West Shore Educational Service District (formerly Oceana ISD), 844 Griswold, Hart, 10 a.m.

MAY

- National Youth Traffic Safety Month** Noys.org
- Motorcycle Safety Awareness Month** Nhtsa.gov
- National Bicycle Safety Month** Bikeleague.org
- 6 **Drivers Age 24 and Younger Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing 1920s Room, 10 a.m.

- 7 **Bike to School Day** Bikeleague.org
- 8 **Senior Mobility and Safety Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, Lake Superior Room, 1:30 p.m.
- 13 **Pedestrian & Bicycle Safety Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1970s Room, 9 a.m.
- 14 **Michigan Truck Safety Commission meeting**, Michigan Center for Truck Safety, 1131 Centennial Way, Lansing, 9 a.m.
- 15 **Motorcycle Safety Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, Lake Huron Room, 9 a.m.
- 16 **Bike to Work Day** Bikeleague.org
- 18-24 **EMS Week** Aecp.org/emswk
- 19-6/1 **Click It or Ticket Mobilization** Nhtsa.gov

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Michigan drivers admit to increase in talking, texting

Although Michigan law prohibits drivers from reading, manually typing, or sending a text message while driving, 16.3 percent of respondents admitted to texting and e-mailing while driving during a statewide phone survey conducted for the Michigan Office of Highway Safety Planning (OHSP). This is nearly double the number of people who admitted to sending texts and e-mails in a 2012 survey.

The results are part of a driver attitude and beliefs telephone survey of 600 motorists conducted by Glengariff Group, Inc., and funded by OHSP with federal traffic safety money. Those surveyed were asked about such things as driving habits, traffic laws, drinking and driving, cell phone use, and texting while driving.

In addition, nearly 59 percent of Michigan motorists admit to making and

accepting phone calls while driving, an increase from 56 percent of drivers in 2012, and 31 percent of drivers admitted to looking at incoming text messages and e-mails, an increase from 17 percent in 2012.

Other survey findings included:

- 40.2 percent said they would feel unsafe driving after two drinks in a two-hour time period, while 26.6 percent felt they would be unsafe after one drink
- 96 percent said they would want to have their seat belt on during a crash
- 78.7 percent said their driving skills were better than those of the average driver

A copy of the survey results can be viewed at Michigan.gov/ohsp.

Michigan Deer Crash Coalition seeks input, members

The Michigan Deer Crash Coalition (MDCC) is seeking to increase its membership and gather additional input as it tackles the issue of vehicle-deer crashes.

MDCC was formed in 1996 to increase awareness about the deer crash problem in Michigan and reduce the number of deaths and injuries resulting from these crashes. Members include AAA Michigan, Insurance Institute of Michigan, Michigan Department of Natural Resources, Michigan Department of State, Michigan Department of Transportation, Michigan Office of Highway Safety Planning, Michigan Sheriffs' Association, Southeast Michigan Council of Governments, State Farm Insurance, and the Traffic Improvement Association.

For more information, visit Michigandeercrash.com, find the Michigan Deer Crash Coalition on Facebook, or contact Lori Conarton, MDCC chairperson, at (517) 371-2880 or iim@iiminfo.org.

The next MDCC meeting is April 18 at 10 a.m. at the Insurance Institute of Michigan, 334 Townsend Street, Lansing.

Adkins named GHSA executive director



Governors Highway Safety Association (GHSA) Chairman Kendell Poole recently announced that Jonathan Adkins has been selected as the organization's new executive director. Adkins has been with GHSA for 14 years, serving first as communications director and most recently as deputy executive director.

Adkins' selection is the culmination of an extensive nationwide search process that began with in-depth discussions about the organization and included input from the organization's executive board, other leaders, and key stakeholders. These discussions resulted in a detailed profile

outlining the qualifications, experience, background, and personal characteristics the organization was seeking in its executive director. Based on that information and consensus, more than 100 candidates were considered and more than 60 interviews were conducted, including extensive in-person interviews with six finalists by the search committee and a detailed vetting process.

As executive director, Adkins will be responsible for serving as the association's chief liaison with the National Highway Traffic Safety Administration and other federal agencies, as well as representing the organization on Capitol Hill and with private sector partners.

Assessments *Continued from page 1 >*

will examine current occupant protection and child passenger safety programs. This is the first time Michigan has conducted an Occupant Protection Assessment in at least 15 years.

A Web-based Traffic Records Assessment is slated for October 2014-January 2015. The last Traffic Records Assessment was conducted in 2009. Recommendations from that assessment that have been accomplished or are being pursued include implementing electronic crash reporting for law enforcement agencies, pursuing statewide data linkage among crash data databases, and improving crash reporting through training.

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Share MI Roads campaign launched to educate drivers, bicyclists

Each year, close to 2,000 Michigan bicyclists are injured or killed in automobile-related crashes. To reduce these numbers and improve relations between drivers and bicyclists, the League of Michigan Bicyclists has partnered with Transportation for Michigan to create the Share MI Roads campaign.

The campaign provides educational materials about rights and responsibilities, etiquette, and safety tips to drivers, bicyclists, driver's education instructors, and law enforcement. In addition, drivers and bicyclists have the opportunity to sign a Share the Road Safety Pledge on the campaign's Web site. This personal commitment allows the visitor to display his or her name and community on the site and provide suggestions on how to improve road safety in Michigan. More than 200 visitors have already signed the pledge.

Share MI Roads hopes to personalize relations between drivers and bicyclists not just through the pledge, but through

driver's education instruction. Out of the minimum 24 hours of American Driver and Traffic Safety Education Association curriculum for new drivers, only two hours are devoted to sharing the road with other users. Of those two hours, only a small portion focuses specifically on sharing the road with bicyclists.

However, Michigan's curriculum provides instructors with a limited amount of discretionary time. The Share MI Roads team is currently working on developing a toolkit to help instructors emphasize safely sharing the road with bicyclists during this time.

The Share MI Roads team consists of transportation experts, safety advocates, and state agency representatives committed to making Michigan a more bike-friendly state. Anyone interested in joining the team, assisting with the driver's education toolkit, or who would like to contribute to the campaign can e-mail info@sharemiroads.org.



Pat Harrington of Lansing gives a thumbs up after signing the share the road safety pledge at the Michigan Bike Expo in January.

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driving during the NCAA tournament time period. Of those, 671 were arrested under the state's high blood-alcohol content (BAC) law with BACs of .17 or higher. More than 500 of those arrests were made by grant-funded law enforcement agencies during last year's drunk driving crackdown.

Extra patrols are planned in Allegan, Berrien, Calhoun, Chippewa, Delta, Eaton, Genesee, Grand Traverse, Houghton, Ingham, Jackson, Kalamazoo, Kent, Livingston, Macomb, Marquette, Monroe, Muskegon, Oakland, Ottawa, Saginaw, St. Clair, Van Buren, Washtenaw, Wayne, and Wexford counties.



Statewide seat belt campaign hits the streets May 19

The annual *Click It or Ticket* campaign kicks off May 19 with agencies in up to 40 counties conducting increased seat belt enforcement.

Enforcement runs through June 1 and includes the heavily traveled Memorial Day holiday weekend.



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Drunk drivers put child passengers at risk

By Kenneth Stecker, Traffic Safety Resource Prosecutor, Prosecuting Attorneys Association of Michigan

Driving under the influence of alcohol and/or drugs is not a good thing when considering that such actions by the impaired driver endanger other drivers on the road. However, driving under the influence of alcohol or drugs becomes even more of a concern when impaired drivers do so with child passengers in the vehicle.

Recently in Massachusetts, a 21-year-old mother was charged with drunk driving with her 3-year-old child in the vehicle. The woman ran a red light and slammed into a minivan with four people inside. The minivan then crashed into a frigid pond. All four of its occupants were transported to the hospital, one of them, a young girl, with serious injuries.

The statistics for drunk driving with a child passenger in the vehicle truly reveal how fortunate it was that no one was killed as a result of the actions by this 21-year-old woman.

In 2012, 20 percent of the children age 14 and younger who were killed in motor vehicle crashes were killed in alcohol-impaired crashes. Of the 239 children 0-14 years old who were killed in alcohol-impaired crashes, 124 (52 percent) were passengers in vehicles with drivers who had a bodily alcohol content (BAC) level of .08 or higher.¹

A child in a vehicle with a drinking driver is not only at risk from the impaired driver, but also from the lack of a seat belt or child safety seat, as drinking drivers are less likely to make sure a child is properly restrained. In fatal crashes, sober drivers

had restrained their children 30.5 percent of the time, compared with only 18 percent for drinking drivers.²

In Michigan, driving under the influence of alcohol and/or drugs with a child passenger under the age of 16 in the vehicle is a criminal offense. A person convicted of this offense must pay a fine of up to \$1,000 and is subject to a term of imprisonment for not less than five days or more than one year.³

A person who drives under the influence of alcohol and/or drugs with a child passenger under 16 in the vehicle within seven years of a first conviction or after two or more prior convictions, regardless of the number of years that have elapsed since any prior conviction, is guilty of a felony and is subject to a prison term of up to five years.⁴

However, it is very important to note that depending on the circumstances of the case, driving under the influence of alcohol and/or drugs with a child in the vehicle could constitute the crime of Child Abuse-Second Degree, a four-year felony under Michigan law.⁵

In the published Michigan Court of Appeals case of *People v. Nix*, No. 311102, decided May 23, 2013, a jury convicted the defendant of two counts of second-degree child abuse and one count of fleeing and eluding. The defendant's convictions arose from a high-speed chase during which his infant son and 4-year-old stepson were in the vehicle and not restrained.

The defendant argued that the prosecution presented insufficient evidence that the high-speed chase was "likely to cause serious physical or mental harm to a child pursuant to the Child Abuse-Second Degree law." The Court of Appeals of disagreed.

The court noted that the prosecutor presented testimony from sheriff deputies that defendants' speeds and manner of driving were dangerous and likely carried a high risk of potential harm. One deputy testified that if the defendant had "pushed his speeds any higher on the curves, he most likely would have crashed the vehicle." Another officer testified that the defendant nearly caused a devastating accident while trying to avoid being boxed in by the patrol vehicles. Therefore, the court concluded that the evidence was overwhelming for the jury to convict for Child Abuse-Second Degree.

In light of the *People v. Nix* decision, it is important for officers to be thorough when investigating these type of cases. A thorough investigation may mean the difference between the defendant being charged with Operating While

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¹ National Highway Traffic Administration. *Traffic Safety Facts 2012: Alcohol-Impaired Driving*. <http://www-nrd.nhtsa.dot.gov/Pubs/811870.pdf>

² Quinlan, Kyran, et. al. *Characteristics of Child Passenger Deaths and Injuries Involving Drinking Drivers*. Journal of

the American Medical Association 283 (17) (2000): 2249-52. <http://jama.ama-assn.org/cgi/content/abstract/283/17/2249>

³ Michigan Compiled Law 257.625

⁴ Id.

⁵ Michigan Compiled Law 750.136

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OHSP promotes high-viz gear at motorcycle show

The Michigan Office of Highway Safety Planning (OHSP) promoted wearing high visibility riding gear and getting trained and endorsed during at the Progressive International Motorcycle Show in Novi January 3-5.

Nearly 1,500 people visited the booth staffed by OHSP, Michigan Department of State staff, Motorcycle Safety Foundation RiderCoaches, a Michigan State Police trooper, and an emergency medical

services paramedic. Visitors had the opportunity to take a rider survey, sign up for a high visibility gear giveaway, and receive literature on motorcycle safety. Six high visibility vests were raffled off during the event with 400 people signing up.

Plans are underway to attend Bike Time in Muskegon in July. Events will include riding demonstrations, endorsement and training information, and high visibility riding gear giveaways.

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Intoxicated-Child Endangerment (first offense-one-year misdemeanor) or Child Abuse-Second Degree (four-year felony).

Additionally, if the evidence shows that because of the investigation the crime should be elevated to a Child Abuse-Second Degree, it places additional penalties and sanctions on the defendant.

In order to do a comprehensive investigation to determine the appropriate charge for driving under the influence of alcohol and/or drugs, prosecutions are typically driven by five different types of evidence: driving patterns, physical and mental signs and symptoms, field sobriety test performance, chemical test results, and any admission and/or confession made by the driver.

Driving on alcohol or drugs with children in the vehicle is a losing proposition. Law enforcement and prosecutors can reduce the risk to child passengers by aggressively and effectively investigating and prosecuting these types of cases.

For more information on this article and PAAM training programs, contact Kenneth Stecker, Traffic Safety Resource Prosecutor, at (517) 334-6060 or e-mail at steckerk@michigan.gov. Please consult your prosecutor before adopting practices suggested by reports in this article. Discuss your practices that relate to this article with your commanding officers, police legal advisors, and the prosecuting attorney before changing your practice.

Veteran designation being added to driver's licenses in 2014

Michigan is offering veterans the convenience of having a veteran designation on their licenses and ID cards. The designation will provide a convenient way for veterans to prove their service to businesses that offer veteran discounts instead of carrying discharge papers.

The designation also allows the Secretary of State's (SOS) Office to partner

with the Michigan Department of Military and Veterans Affairs and veteran service organizations across the state to provide referral information to veterans so they are aware of available resources and services.

Under the recently signed legislation, veterans who want the designation would provide SOS with proof of an honorable discharge. The designation will not

cost veterans anything when renewing a license. A veteran who gets the designation outside of his or her normal renewal time must pay \$9 for a duplicate license.

For more information, visit Michigan.gov/veterans.

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